APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/827,076	04/19/2004	Timothy Darren Brown	2003-0737.01	1887

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LEXMARK INTERNATIONAL, INC.
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EXAMINER
UNELUS, ERNEST

ART UNIT	PAPER NUMBER
2181	

DATE MAILED: 12/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _10/02/06_.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☐ Claim(s) _____ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-33_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _19 April 2004_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

FRITZ FLEMING
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100
12/6/2006

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

RESPONSE TO AMENDMENT

Claim rejections based on prior art

Applicant's arguments filed 10/02/2006 have been fully considered but they are not persuasive.

The applicant argues that the cited Bolt reference teaches of querying a target device for setting information before generating an invalid setting indication.

Looking at the Bolt reference, step 58 of fig. 8, as also describe in col. 8, lines 43-49, discloses writing the setting from a source device setting to the target devices. Col. 8, lines 60-65 discloses "to determine whether the target printer 8a, b, c, d supports both the selected feature and the source value for the selected feature". The determination is the generation of the invalid setting. From this determination, which is consist of the initial setting, would contain an invalid setting, such as 'console lock' as shown in fig. 7; after that, the computer will query the printer is to see what kind of setting it can support, if it doesn't support something such as 'console lock'. Also, the claim doesn't specify what and how the invalid setting is being generated.

After the query, the computer will transmit the best setting for the target printer.

I. INFORMATION CONCERNING OATH/DECLARATION

Oath/Declaration

1.   The applicant's oath/declaration has been reviewed by the examiner and is found to

conform to the requirements prescribed in **37 C.F.R. 1.63.**

II. INFORMATION CONCERNING DRAWINGS
Drawings

2.   The applicant's drawings submitted are acceptable for examination purposes.

III. ACKNOWLEDGEMENT OF REFERENCES CITED BY APPLICANT

3.   As required by **M.P.E.P. 609(C),** the applicant's submissions of the Information

Disclosure Statement dated April 19, 2004 is acknowledged by the examiner and the cited

references have been considered in the examination of the claims now pending. As required by

M.P.E.P 609 C(2), a copy of the PTOL-1449 initialed and dated by the examiner is attached to

the instant office action.

IV. REJECTIONS BASED ON PRIOR ART

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the
basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on
sale in this country, more than one year prior to the date of application for patent in the United States.

5.   **Claims 1-33** are rejected under 35 U.S.C. 102(b) as being anticipated by Boldt et al. (US

pat. 6,349,304).

7.   As per **claim 1**, Boldt discloses "A method of establishing a plurality of target device

settings for at least one target device based on a plurality of source device settings of a source

device via a network **(see abstract)**, comprising the steps of: writing each setting of said

plurality of source device settings to said at least one target device **(col. 8, lines 43-47 discloses**

the computer writing a setting from a source to the targets); generating an invalid setting

indication for each setting not accepted by said at least one target device **(col. 8, lines 50-58 and**

col. 9, lines 17-20 discloses a selected feature from the setting file not being copied to a

particular target or multiple target not); querying said at least one target device for setting

information based on each said invalid setting indication **(see col. 8, lines 60 -67)**; and writing,

for at least one of said each setting not accepted by said at least one target device, a value to said

at least one target device, said value corresponding to said setting information"(see col. 9, **lines**

3-12).

8.   As per **claims 2, 13, and 24,** Boldt discloses "The method of claim 1", **[see rejection to**

claim 1 above], "further comprising the step of retrieving said plurality of source device settings

from a location prior to said writing said each setting" **(col. 8, lines 43-47 discloses the**

computer collecting a setting before it writes it to the targets).

9.   As per **claims 3, 14, and 25,** Boldt further discloses "further comprising the step of

retrieving an optimized list of source device settings from a location, wherein said writing said

each setting includes writing said each setting according to said optimized list of source device

settings **(see col. 9, lines 1-9)**.

10.   As per **claims 4, 15, and 26,** Boldt discloses "wherein said optimized list of source

device settings is based on a dependency of one of said each setting upon another of said each

setting **(see col. 9, lines 1-9)**.

11.   As per **claims 5, 16, and 27,** Boldt further discloses "comprising the step of verifying an

acceptance of said each setting by said at least one target device prior to said generating said

invalid setting indication **(see col. 9, lines 17-30)**.

12.   As per **claims 6, 17, and 28,** Boldt discloses "wherein said source device transmits a

program to a computer via said network **(see col. 7, lines 55-58)**, said computer having access to

said at least one target device via said network **(see col. 7, lines 55-58, which stated the**

printers as the target device), said program executing on said computer to perform said steps of

said writing said each setting **(see col. 8, lines 43-47, which discloses the computer writing a**

setting from a source to the targets), said generating said invalid setting indication **(col. 8,**

lines 50-58 and col. 9, lines 17-20 discloses a selected feature from the setting file not being

copied to a particular target or multiple target not), said querying said at least one target

device **(see col. 8, lines 60 -67)**, and said writing said value **(see col. 9, lines 3-12)**.

13.   As per **claims 7, 18, and 29,** Boldt further discloses "comprising the step of constructing

at least one error tracking page listing each said invalid setting indication **(see fig. 7, which**

discloses "printer room 164.108....Console lock-cannot be set on this printer").

14.   As per **claims 8, 19, and 30,** Boldt discloses "wherein said at least one error tracking

page corresponds to said at least one target device **(see fig. 7, which discloses printer room**

164.108 as the target device).

15.   As per **claims 9, 20, and 31,** Boldt discloses "wherein 9. The method of claim 7,

wherein said at least one error tracking page corresponds to a unique network identifier of said at

least one target device **(see fig. 7, which discloses printer room 164.108 as a 'unique network**

identifier' target device).

16.   As per **claims 10, 21, and 32,** Boldt discloses "wherein said setting information includes

a current target device setting **(see col. 8, lines 43-47 discloses the computer writing a setting**

from a source to the current targets in the network, which means they are available to

accept the setting).

17.   As per **claims 11, 22, and 33,** Boldt discloses "wherein said setting information includes

available settings for said at least one target device **(see col. 8, lines 43-47 discloses the**

computer writing a setting from a source to the targets, which means they are available to

accept the setting).

18.   As per **claim 12,** Boldt discloses "A computer readable storage device storing a set of

computer executable instructions for implementing a method of establishing a plurality of target

device settings for at least one target device based on a plurality of source device settings of a

source device via a network **(see abstract)**, said method comprising the steps of: writing each

setting of said plurality of source device settings to said at least one target device **(col. 8, lines**

43-47 discloses the computer writing a setting from a source to the targets); generating an

invalid setting indication for each setting not accepted by said at least one target device **(col. 8,**

lines 50-58 and col. 9, lines 17-20 discloses a selected feature from the setting file not being

copied to a particular target or multiple target not); querying said at least one target device

for setting information based on each said invalid setting indication **(see col. 8, lines 60 -67)**;

and writing, for at least one of said each setting not accepted by said at least one target device, a

value to said at least one target device, said value corresponding to said setting information" **(see**

col. 9, lines 3-12).

19.   As per **claim 23,** Boldt discloses "An imaging apparatus having a controller configured to

execute computer executable instructions for implementing a method of establishing a plurality

of target device settings for at least one target device based on a plurality of source device

settings of a source device via a network **(see abstract)**, said method comprising the steps of:

writing each setting of said plurality of source device settings to said at least one target device

(col. 8, lines 43-47 discloses the computer writing a setting from a source to the targets);

generating an invalid setting indication for each setting not accepted by said at least one target

device **(col. 8, lines 50-58 and col. 9, lines 17-20 discloses a selected feature from the setting**

file not being copied to a particular target or multiple target not); querying said at least one

target device for setting information based on each said invalid setting indication **(see col. 8,**

lines 60 -67); and writing, for at least one of said each setting not accepted by said at least one

target device, a value to said at least one target device, said value corresponding to said setting

information" **(see col. 9, lines 3-12)**.

V. <u>RELEVANT ART CITED BY THE EXAMINER</u>

20.   The following prior art made of record and not relied upon is cited to establish the level

of skill in the applicant's art and those arts considered reasonably pertinent to applicant's

disclosure. See **MPEP 707.05(c)**.

21.   The following reference teaches using the setting of one printer in a network to set the
other ones.

<u>U.S. PATENT NUMBER</u>

US 5,905,906

VI. <u>CLOSING COMMENTS</u>

<div align="center"><i><u>Conclusion</u></i></div>

a. <u>STATUS OF CLAIMS IN THE APPLICATION</u>

22.   The following is a summary of the treatment and status of all claims in the application as

recommended by **M.P.E.P. 707.07(i)**:

a(1) <u>CLAIMS REJECTED IN THE APPLICATION</u>

23.   Per the instant office action, claims 1-33 have received a final action on the merits.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from

the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the

mailing date of this final action and the advisory action is not mailed until after the end of the

THREE-MONTH shortened statutory period, then the shortened statutory period will expire on

the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no event, however, will the statutory

period for reply expire later than SIX MONTHS from the mailing date of this final action.

b. DIRECTION OF FUTURE CORRESPONDENCES

24.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ernest Unelus whose telephone number is (571) 272-8596. The

examiner can normally be reached on Monday to Friday 9:00 AM to 5:00 PM.

IMPORTANT NOTE

25.   If attempts to reach the above noted Examiner by telephone is unsuccessful, the

Examiner's supervisor, Mr. Fritz M. Fleming, can be reached at the following telephone number:

Area Code (571) 272-4145.

The fax phone number for the organization where this application or proceeding is

assigned is 571-273-8300. Information regarding the status of an application may be obtained

from the Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For more

information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions

on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-

9197 (toll-free).

December 01, 2006   Ernest Unelus
                                               Examiner
                                               Art Unit 2181

                                               FRITZ FLEMING
                                               SUPERVISORY PATENT EXAMINER
                                               TECHNOLOGY CENTER 2100
                                               12/6/2006